RECEIVED
97 MAY 23 PM 12:39
GROUP 2600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#5
Rose
5/27/97

In re the application of	
Barry Katz	**Group Art Unit:** 2615
Serial No.: 08/741,308	**Examiner:** Amelia Au
Filed: October 30, 1996	
For: **ASYNCHRONOUS VIDEO EVENT AND TRANSACTION DATA MULTIPLEXING TECHNIQUE FOR SURVEILLANCE SYSTEMS**	26m1

To the Commissioner of Patents and Trademarks:

Sir:

AMENDMENT

This is in response to the Office Action mailed March 4, 1997. The Examiner has rejected Claims 2-19 as being obvious in view of Odle, U.S. Patent 5,491,511. Applicant submits herewith a declaration under Rule 131 to establish completion of the invention in this application in the United States, at a date prior to February 4, 1994, that is the effective date of the prior art patent that was cited by the Examiner.

5/29/97

It is respectfully submitted that this declaration is effective to remove Odle as a reference, therefore the rejection is overcome and allowance is respectfully requested.

The Examiner has acknowledged that Odle does not disclose overlaying the alpha-numeric display on the video signal of the behavioral event. However, Odle also differs from Applicant's claimed invention in a fundamental aspect: Odle relies on the synchronous storage of the video signals of the behavioral event and the storing of the transaction data. It is only in this way that Odle can correlate the event with the transaction data by means of what he calls a "unique system pointer", namely a clock. Note for example at Col. 6, about lines 40-45 Odle speaks of synchronizing the VCR clock with that of the system controller. Odle depends on synchronous storage, and neither discloses nor suggests Applicant's *asynchronous* method. Because Applicant marks the signals with a sequence code from a common source, he can store the two signals at different time. There is no disclosure or suggestion of such a feature in Odle.

Odle's system overlays relevant data on top of a video image and records this combined image for later review. See Column 6, lines 26-35. *Video card 27 continuously merges the stored digital transaction data with the corresponding camera composite video signal to create a mixed composite video signal...The mixed composite video signal combines the camera composite video signal and the digital transaction data into a single signal for storage on the video storage system 20.* For this to work, it is necessary that both the video of the event and the corresponding event data be available to the system at the same time. This is critical, as the recording would be useless if the data came at later time (e.g. several hours later, as explained in applicant's specification for example at page 5) The present inventor on the other hand uses a synchronizing signal to allow data from a

database to correspond to video from a video storage device during the playback of the video signal. The present inventor does not record and overlay any data on top of the recorded video (the synchronizing signal is recorded in away such that it does not interfere with the video image). This synchronizing signal is provided to both the video recording system and the transaction data recording system related to the transaction event being monitored. This signal is, for example, a date/time stamp from a reliable third source. The synchronizing signal is recorded with the video and is incorporated into the data from the transaction event. This data can arrive for storage in applicant's system at any time, even days later, and still be correlated with the correct video.

Thus even if Odle were applicable as a reference, it does not render obvious Applicant's claimed invention, because it neither teaches nor suggests means for asynchronously storing the video and digital signals.

The Examiner's provisional obviousness-type double patenting rejection is noted. Clearly this can be dealt with by means of a terminal disclaimer at the appropriate time.

Respectfully submitted,

Telephone:
(610) 565-6090
Facsimile:
(610) 566-9790
P. O. Box 2056
205 North Monroe Street
Media, PA 19063-9056

JOHN ARKELL WEYGANDT
Attorney of Record
Registration No. 24,940

Date: May 22, 1997